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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,766	06/13/2006	Hiyoshi Tatsuno	F-9125	1527

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EXAMINER
YAZBEK, CHEKRI Y

ART UNIT	PAPER NUMBER
4115	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/582,766	TATSUNO, HIYOSHI	
	Examiner	Art Unit	
	CHEKRI YAZBEK	4115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *13 June 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *06/13/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This communication is in response to the application filed on 06/13/06. Claims 1-7 are pending.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35U.S.C. 119(a)-(d). The certified copy has been filed with the application.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 06/13/06 was filed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless :
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 102 (b) as being anticipated by Ramsey et al. (U.S. 5,842,188, hereinafter Ramsey).

As of claim 1, Ramsey discloses an oil supply apparatus (col. 3, line 16, a fuel Dispenser in the form of a fuel pump), comprising: an oil supply setup apparatus (col. 5, lines 44-47, an apparatus as a pump control console in function of gasoline dispensing)

for setting the oil supply in order for clients themselves to carry out the oil supply operation (col. 3, lines 2-3, for operating an unattended, automated, self-service station for dispensing gasoline); an oil supply mechanism for controlling the oil supply operation on the basis of the oil supply setup content set by the oil supply setup apparatus (col. 3, lines 53-54, a control means for controlling the operation of the fuel dispenser); and a change payer for settling the oil supply charge in cash due to setting of the oil supply of the oil supply setup apparatus in one main body case (col. 3, line 25, 32-34, & 42, in one embodiment, the invention encompasses a coin and currency acceptor means for receiving direct payment for a quantity of fuel and means for dispensing coin and currency for change);wherein the change payer carries out the process for receiving a cash and disbursing the cash as the change after the completion of the oil supply work (col. 3, lines 54-57, where the cash acceptance and dispensing console acts as a vending machine to receive cash in the form of currency or coin from a customer for purchase of motor fuel).

As of claim 2, Ramsey discloses the oil supply apparatus according to claim 1, wherein the change payer has a bill processor for receiving money by a bill (col. 9, lines 17-18, a currency acceptance means 123 like a banknote validator 130 for receiving a direct cash payment) and disbursing the cash when the change is needed of the bill (col.11, lines 6 & 37-38, and a currency dispensing means125 like a currency dispenser 160 which delivers change in the form of multiple banknote denomination), and a coin processor for receiving the money by a coin (col. 9, line 66, and a coin acceptance

means 124 like a coin validator 150) and disbursing the cash when the change is needed of the coin (col. 11, lines 40-42, and a coin dispensing means in the form of a coin dispensor 170 for delivering coin change to a purchaser).

As of claim 3, Ramsey discloses the oil supply apparatus according to claim 1, wherein the oil supply setup apparatus, the oil supply mechanism, and the change payer are respectively connected to a POS terminal that is arranged away from the main body case through signal lines (col. 8, lines 16-18 & 52-53, a system controller 108 located at a control building, interconnects the pump and the customer cash console; the system controller 108 is in the form of a point of sale device at a manned console to permit an employee to monitor cash and credit transactions through fueling at different pumps) and (col. 12, lines 22-24, the system controller constantly polls the pump and cash console via signal communication); the POS terminal receives the oil supply setup content that is set by the oil supply setup apparatus (col. 8, lines 50-51, the system controller 108 is capable of a two-way communication with the pump control console 25 that is the customer's console and the pump 102 itself) and receives the money amount information about the money received by the change payer (col. 8, line 52-56, and the system controller monitors cash transactions occuring at the fuel pump); the POS terminal transmits a signal for allowing oil supply to the oil supply mechanism on the basis of the oil supply setup content (col. 6, lines 56-59, the controller activates the pump to dispense a fuel quantity equal to the amount of cash inserted into the currency and coin acceptors) and receives an oil supply finishing signal from the oil supply mechanism (col. 6, lines 64-65, and upon completion of the fueling, the system

controller receives a signal from the pump controller that fueling at the dispenser has stopped); and the POS terminal transmits a signal for instructing the change disbursement to the change payer if the change is needed (col.6, lines 59-63, after completion of the fueling and upon initiation by the system controller, the purchased amount is compared to the amount of cash inserted and the due amount from the transaction is returned by activating the currency and coin dispensers).

As of claim 4, Ramsey discloses the oil supply apparatus according to claim 3, wherein the change payer is connected to the oil supply mechanism through a signal line for receiving a signal relating to the oil supplying state (col.9, lines 8-12, the change dispensing means receives a change due signal from the console controller after which in turn, it received an approval signal from the system controller), and when it receives the signal for instructing the change disbursement from the POS terminal after a signal for a temporal stop of the oil supply received by the signal line (col.6, lines 62-65, where activation of the currency and/or coin dispensers by a signal transmission with the system controller after the fuel dispensing has stopped), the change payer carries out the disbursement process to make the shift to an idling state after lapse of certain time (col. 12, lines 44-48, and where no further activity is sensed at the pump or the cash console by the system controller, the fueling timer started by an enablement signal sent to the fuel pump by the system controller to permit the pump for staying in an “on” or idle position for extended periods of time).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5-7 are rejected under U.S.C. 103(a) as being unpatentable over Ramsey in view of Cull et al. (U.S. 7,339,332).

As of claim 5, Ramsey discloses the display sales indicia, such as fuel quantity units, and fuel price in the front panel of the customer console at the fueling or dispensing pump in the oil supply apparatus according to claim 1 (col. 5, lines 66-67 and col. 6, line 1), where Ramsey does not disclose exclusively the liquid crystal feature;
wherein the oil supply mechanism has an oil supply quantity indicator configured by a liquid crystal display equipped with a back light where Cull teaches the resolution and size of the LCD display and desired backlight uniformity (col. 3, lines 36-37) and an outside light sensor for detecting the brightness of the outside light where Cull teaches about a disadvantage if stray light detected by sensor 30 from the outside of the display unit (col. 7, lines 4-5); and the oil supply mechanism controls the brightness of the back light of the oil supply quantity indicator on the basis of the outside light detected by the outside light sensor; where Cull teaches comparing the backlight to the outside stray light in order to contribute to an optimal un-troublesome light display (col. 7, line 7). Cull

teaches the enhancement of forward propagation of light towards the back side of the LCD (col.3, lines 27-29). Ramsey discloses the facility server as being part of the system controller to control the activation and deactivation of the fuel dispensers with continuous display sales indicia (col. 5, lines 64-66). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ramsey's control unit to perform the comparison generated by Cull's optimization of back lighting of the display unit and the outside stray light in order to show the LCD indicia to be displayed uniformly on the console screen or display unit at the fuel dispensing pump.

As of claim 6, Ramsey discloses the display sales indicia, such as fuel quantity units, and fuel price in the front panel of the customer console at the fueling or dispensing pump in the oil supply apparatus according to claim 1 (col. 5, lines 66-67 and col. 6, line 1), where Ramsey does not disclose exclusively the light emitting diode feature; wherein the oil supply mechanism has an oil supply quantity indicator configured by a light-emitting diode and an outside light sensor for detecting the brightness of the outside light, but Cull teaches a combination of LED colors capable of collectively producing the desired color for a display which includes one or more detectors or sensors mounted on a proximity to the backlight in order to enhance forward propagation of light toward the back of the LCD (col. 3, lines 20-29) ; and concerning the oil supply mechanism controls the indicated color of the light-emitting diode of the oil supply quantity indicator on the basis of the outside light detected by the outside light sensor; Cull teaches that the control system comprises sensors, a controller and LED drivers (col. 4, lines 13-14) and providing a backlit display with variable luminance

and chrominance using groups of LEDs of different colors and one or more sensors to adjust the proportional intensity of light (col.9, line 31) and Cull further teaches about a disadvantage if stray light detected by sensor 30 from the outside of the display unit (col. 7, lines 4-5). Ramsey discloses the facility server as being part of the system controller to control the activation and deactivation of the fuel dispensers with continuous display sales indicia (col. 5, lines 64-66). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ramsey's control unit to perform the comparison generated by Cull's optimization of back lighting of the display unit and the outside stray light in order to show the LCD indicia to be displayed uniformly and with the desired color and luminance on the console screen or display unit at the fuel dispensing pump.

As of claim 7, Ramsey discloses the oil supply apparatus according to claim 1, wherein an integrating indicator as the fuel quantity units (col. 5, line 66) for indicating the integrating amount of the oil supply amount to be measured by the flow meter which is attached, but Ramsey does not exclusively mention a flow meter but it would have been obvious at the time of the invention for someone of ordinary skill in the art to have means of measuring fuel quantity in order to be able to display it through the display sales indicia in the index unit reflecting fuel quantity; so that clients can view the integrating amount through an inspection window covered with a polarization plate where Ramsey discloses the customer engaging screen of the console comprises a front wall or panel to protect it from wind and rain and to facilitate visibility (col. 7, lines

23-25).

Although the Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action, the specified citations are merely representative of the teachings in the art as applied to the specific limitations within the individual claim. Since other passages and figures may apply to the claimed invention as well, it is respectfully requested that the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Wilson, U.S. patent 7,020,541.
- Runolinna, U.S. patent 7,301,534.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHEKRI YAZBEK whose telephone number is 571-270-5490. The examiner can normally be reached on Monday-Thursday, 7:30 a.m.-6:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley B. Bayat can be reached on 571-272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chekri Yazbek

/Bradley B Bayat/

Supervisory Patent Examiner, Art Unit 4115